

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA)	
)	
v.)	No. 4:99-CR-108 BSM
)	
DANIEL CHROBAK)	

MOTION TO DISMISS WIHTOUT PREJUDICE

The United States of America by and through Cody Hiland, United States Attorney for the Eastern District of Arkansas, and Alexander D. Morgan, Assistant United States Attorney, for its motion to dismiss without prejudice states as follows:

On November 30, 2018, the United States filed a superseding petition for revocation of supervised release based upon the discovery of several suspected images of child pornography on a laptop used by Defendant. On December 3, 2018, the Court signed the superseding petition and issued a sealed arrest warrant. Authorities arrested Defendant on December 4, 2018, and he was thereafter detained pending a hearing on the superseding petition to revoke.

At the bond hearing, Defendant's live-in girlfriend Holly Wind testified in pertinent part the laptop belonged to her, and she owned it for several years before Defendant gained access to it during their recent cohabitation. In preparation for the revocation hearing, later forensic analysis of the images at issue revealed they were downloaded/last accessed well before Defendant gained access to the laptop and are therefore not attributable to him. Related allegations in the superseding petition are without merit.

WHEREFORE, the United States prays that the Court dismiss the superseding petition to revoke without prejudice.

[END OF TEXT. SIGNATURE PAGE ATTACHED.]

Respectfully submitted,

CODY HILAND
United States Attorney

/s/ Alexander D. Morgan
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CERTIFICATE OF SERVICE

I certify that on December 10, 2018, a copy of the foregoing was electronically filed with the Clerk of the Court by using the Case Management/Electronic Case Files (CM/ECF) system, which shall send electronic notification of such filing to opposing counsel of record.

/s/ Alexander D. Morgan
ALEXANDER D. MORGAN